



July 17, 2009

Hon. Pete Grannis, Commissioner
New York State Department of Environmental Conservation
14th Floor
625 Broadway
Albany, NY 12233

**Re: Lake George (V) WWTP Sewage Spill
Permit Number NY0094366**

Dear Commissioner Grannis,

The FUND for Lake George and Lake George Waterkeeper has been very concerned about the state of the components of the Lake George Village Wastewater System for several years. At various times we have expressed concerns to the Village and Town (the town manages on separate district that contributes to the system) about the management, condition, and operation of the system. Specific issues include:

- Seasonal high flows at times exceed the average daily permitted flow;
- Inflow/Infiltration into the collection and conveyance system where wastewater flows can double during rain events;
- Approvals by the Town of Lake George Planning Board exceeding the allowable connections granted from the Village of Lake George; and,
- High nitrogen levels found in West Brook which appear directly down gradient from the Treatment Plant.

All of these concerns place stress on the system components from collection and pumping capacity to hydraulic and treatment efficiency at the wastewater treatment plant. Each of these alone can impact water quality, but the cumulative effect can be overwhelming.

These concerns were raised previously at the regional level where we were told as far back as 2005 that “DEC staff characterize the plant as well-run and operating within its permitted capacity.”

This spill, which some are attempting to minimize as a fluke, could be considered the culmination of poor system maintenance and management. Without changes, the July 5th sewage spill could happen again. There needs to be a focused effort to better maintain existing infrastructure and address the problems the system faces. This spill could not have occurred at a worse time – a summer holiday weekend. The lake was significantly impacted with astronomical fecal coliform readings. Even worse was the impact to the local businesses and concerns of lake residents and visitors. Our office fielded concerns from as far north on the lake as Gull Bay, 25 miles to the north in the Town of Putnam.

We understand this event is currently a matter under investigation and that a violation notice has been issued. The FUND for Lake George and Lake George Waterkeeper urge that the following items be included in any Consent Order:

- The Village of Lake George, and all tributary Districts, should be required to perform a collection and conveyance system evaluation. This should include video taping sewer mains to determine areas of suspected leaks and remediation plans. Pumps stations and force mains should be evaluated and check to ensure all valving and alarm components are properly functioning. At least for the next several years, an annual inventory of the system's infrastructure should be undertaken and made public.
- This inventory should also evaluate the number of hook-up/connections allocated by the Town and Village Planning Boards to ensure the system or approved limits are not oversubscribed.
- The Village of Lake George and all tributary Districts should be required to have an emergency spill plan prepared and necessary containment devices on hand for the lake side pump stations to minimize any impacts to Lake George.
- This information should be presented at a public meeting.

It is our opinion these requirements should be in lieu of a large fine for the violation. Rather, studies that will identify problems facing the system should be identified so that they can be repaired in the near future. The Village of Lake George, its residents and businesses, rely on the exceptional water quality of Lake George for its livelihood. The impact this had was evident when Waterkeeper Chris Navitsky kayaked along the taped-off beaches and rows of empty lounge chairs along the lake shoreline. Money should be funneled back into the system to make sure this does not happen again.

The DEC should focus on preventing this level of water quality and community impact in the future. This spill should be used as an opportunity to focus attention on the condition of the system and the infrastructure and management improvements that are needed. Thank you for your consideration.

Sincerely,



Peter Bauer
Executive Director
FUND for Lake George



Christopher Navitsky, PE
Lake George Waterkeeper

cc: J. Enck, Office of Governor
J. Kozlowski, Office of Governor
Stu Gruskin, NYSDEC
Chris Ballantyne, NYSDEC
James Tierney, NYSDEC
Betsy Lowe, NYSDEC
Tom Hall, NYSDEC
Bill Wasilauski, NYSDEC
Michael White, Lake George Park Commission
Curt Stiles, Adirondack Park Agency